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CO., LTD., SAMSUNG ELECTRONICS

15 AMERICA, INC. and SAMSUNG

TELECOMMUNICATIONS AMERICA, LLC

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18
19 APPLE INC., a California corporation,

20 Plaintiff,

21 vs.

22 SAMSUNG ELECTRONICS CO., LTD., a

Korean business entity; SAMSUNG

23 ELECTRONICS AMERICA, INC., a New

York corporation; SAMSUNG

24 TELECOMMUNICATIONS

AMERICA, LLC, a Delaware limited liability

25 company,

26 Defendant.

CASE NO. 11-cv-01846-LHK (PSG)

**STATEMENT OF RECENT DECISION
REGARDING FINAL OFFICE ACTION
BY THE USPTO REJECTING U.S.
PATENT NO. 7,844,915 (L.R. 7-3(d))**

1 Pursuant to Local Rule 7-3(d), Defendants Samsung Electronics Co., Ltd., Samsung
2 Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively
3 “Samsung”) bring to the Court’s attention a Final Office Action by the United States Patent and
4 Trademark Office (“USPTO”) in the *ex parte* reexamination of U.S. Patent No. 7,844,915 (the
5 “’915 patent”) dated July 26, 2013.

6 This Final Office Action by the USPTO is relevant because it rejects all claims of the ’915
7 patent as being anticipated or obvious in view of U.S. Patent No. 7,724,242 to Hillis (“Hillis,”),
8 Japanese Publ No. 2000-163031A to Nomura (“Nomura,”), and other prior art references. This
9 final rejection includes claim 8, which is the only claim of the ’915 patent at issue in this action.
10 The jury found at trial that 21 of 24 accused Samsung products infringed claim 8 of the ’915
11 Patent—specifically the Captivate, Continuum, Droid Charge, Epic 4G, Exhibit 4G, Fascinate,
12 Galaxy Prevail, Galaxy S (i9000), Galaxy S 4G, Galaxy S II (AT&T), Galaxy S II (i9100), Galaxy
13 S II (T-Mobile), Galaxy Tab, Galaxy Tab 10.1 (WiFi), Gem, Indulge, Infuse 4G, Mesmerize,
14 Nexus S 4G, Transform, and Vibrant. The jury awarded damages as to all products found to
15 infringe the ’915 patent except the Galaxy S (i9000) and Galaxy S II (i9100). The new trial on
16 damages scheduled to begin November 12, 2013 includes 12 products that the jury held to infringe
17 claim 8 of the ’915 Patent—specifically the Captivate, Continuum, Droid Charge, Epic 4G,
18 Exhibit 4G, Galaxy Prevail, Galaxy Tab, Gem, Indulge, Infuse 4G, Nexus S 4G, and Transform.
19 (*See* Dkt. No. 2271 at 26; Dkt. No. 2316 at 2.)

20 To the best of Samsung's knowledge, this Final Office Action was published on the
21 USPTO's Patent Application Information Retrieval (PAIR) website on July 26, 2013. A copy of
22 the Final Office Action is attached hereto as Exhibit A.

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1 DATED: July 28, 2013

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4 By /s/ Victoria F. Maroulis

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